

SENATE BILL NO. 114.

EXECUTIVE OFFICE,
STATE OF TEXAS.

Austin, April 4, 1903.

To the Secretary of State:

I disapprove and herewith transmit Senate bill No. 114, entitled "An Act requiring all railway corporations operating a line of railway in the State of Texas to place switch lights on all their main line switches and to keep the same lighted from sunset to sunrise and requiring all railway corporations operating a line of railway in the State of Texas to place derailing switches on all sidings connecting with the main line and upon which sidings cars are left standing; and providing penalties and remedies for the violation of the provisions of this act, and providing an emergency."

Upon receipt of this bill, I submitted the same to the Railroad Commission and requested their examination thereof and their comments thereon. I have received their reply accompanied by a letter from their chief engineer, which are attached hereto and made a part hereof. For the reasons therein stated, I veto this bill.

S. W. T. LANHAM,
Governor.

(Letter from L. J. Storey.)

Copy.

RAILROAD COMMISSION OF TEXAS.
Austin, March 25, 1903.*Hon. S. W. T. Lanham, Governor of Texas, Austin, Texas.*

DEAR SIR: Senate enrolled bill No. 114, received from your office on the 24th inst., with your request to examine the same and to state what objections, if any, we find to its becoming a law, has received the careful consideration of this Commission, and I am instructed to say: This bill should be considered largely as an engineering proposition, and as such we have seen proper to consult our chief engineer, in whose ability we have confidence, and we herewith submit to your Excellency a copy of his reply, and to say that we approve the statement and conclusions reached by him.

Respectfully,
(Signed) L. J. STOREY,
For the Commission.

(Letter from R. A. Thompson, Engineer.)

Copy.

RAILROAD COMMISSION OF TEXAS.
Austin, March 24, 1903.*To the Honorable, The Railroad Commission of Texas, Austin, Texas.*

DEAR SIR: In response to your verbal request that I give you my opinion as an engineer of the requirement of Senate bill No. 114, which has been passed by the Legislature and is now referred to you by his Excellency, the Governor, for your views on same, beg to respectfully advise: That, as provided in Section 1 of said bill, to require the railroad companies of the State to provide and maintain switch lights at all switches that connect with the main line and keep same lighted from sunset to sunrise, would be an impracticable as well as an unreasonable proposition. A large number of the switches that connect the main lines of the railroads of the State with their spur tracks and sidings, are situated at out of the way points where there are no permanent employes in the way of depot agents, switchmen, yardmen or sectionmen located who could be required to perform the duty of caring for and protecting such lights. Such switches accommodate short spurs or sidings to small industries as wood yards, small saw mills, cattle pens, cotton gins, etc.; also passing tracks for the convenience of trains and flag stations, where the necessities do not warrant the keeping of agents or permanent employes of any kind, but which are of great advantage to the small communities that surround them. This bill, if it becomes a law, will have the effect of deterring the railroad companies from putting in short spurs or sidings for the accommodation of small communities, on account of the expense of providing and maintaining switch lights.

Switch lights are now provided by nearly all of the railroad companies of the State who operate night trains, at the switches of such sidings and spurs as are adjacent to and can be reached from depots, section houses and yards, where permanent employes reside. To require that switch lights be placed and maintained at isolated sidings and spurs would necessitate the employment of additional men by the railroad companies, probably one man for each siding and spur, and these men would have to have quarters provided, etc. It would be difficult, almost impossible, to maintain and protect such switch light from being destroyed, or stolen by irresponsible persons, unless a separate employe was provided for each situation.

In view of the above, I do not think

the bill should become a law as it now reads, and further, I do not think the present danger to traffic warrants the additional expense that the railroad companies must provide for to protect such points as is contemplated.

With regard to Section 2 of the said bill, which requires that derailing switches be provided for all sidings connecting with the main lines of railroads upon which cars are left standing, it is my opinion that this would be a needless and unnecessary measure of protection in such cases where the grade of the siding is down and away from the switch. In such cases cars would have to move up grade in order to foul the main line, which they could not do by reason of their own weight and a derail would never be called upon to perform its function except perhaps in case of storms, etc. It is, however, very desirable that derailing devices be required where the grade of the siding is toward or down to the switch connecting with the main line, and upon which cars left standing would have a tendency by reason of their own weight, augmented by wind pressure, often to roll down and foul the main line and thus promoting dangerous wrecks. It is now the common practice of all railroad companies operating roads of the first class, to so protect them by derails on those sidings whose grades descend toward the connecting switch, and in only such cases do I think the dangers of the situation warrant the requiring by law of such derails.

Very respectfully,
(Signed) R. A. THOMPSON,
Engineer.